

### **REMARKS**

The present Amendment is in response to the Examiner's Office Action mailed July 9, 2008. No claims are amended and new claim 27 is added. Claims 1-27 remain pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

#### **Rejection Under 35 U.S.C. § 103**

The Examiner rejects claims 1-6 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424).

The Examiner rejects claims 8, 9, 11, 15, 17, 18, 22, 23, 25, and 26 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and further in view of *Yukie et al.* (U.S. Patent No. 6,956,833).

The Examiner rejects claims 10 and 16 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and in view of *Yukie et al.* (U.S. Patent No. 6,956,833) and further in view of *Nakaoka et al.* (U.S. Patent Publication No. 2007/0027990).

The Examiner rejects claims 12-14 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and further in view of *Yukie et al.* (U.S. Patent No. 6,956,833) further in view of *Nakaoka et al.*

(U.S. Patent Publication No. 2007/0027990) and further in view of *Benjamin et al.* (U.S. Patent No. 5,668,654).

The Examiner rejects claim 21 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and further in view of *Yukie et al.* (U.S. Patent No. 6,956,833) and further in view of *Want et al.* (U.S. Patent No. 5,564,070).

The Examiner rejects claim 7 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and further in view of *Roohparvar* (U.S. Patent No. 6,785,765).

The Examiner rejects claim 24 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and further in view of *Yukie et al.* (U.S. Patent No. 6,956,833)) and further in view of *Roohparvar* (U.S. Patent No. 6,785,765).

The Examiner rejects claims 19 and 20 under 35 U.S.C. § 103 as being unpatentable over *Anderson et al.* (U.S. Patent No. 6,892,251) in view of *Parry* (U.S. Patent Pub 2002/0093424) and further in view of *Yukie et al.* (U.S. Patent No. 6,956,833)) and further in view of *Kefford* (U.S. Patent Pub No. 2003/0204726).

Applicants traverse the Examiner's rejection for obviousness on the grounds that the references – either individually or in combination – fail to teach or suggest each and every element of the rejected claims. Figure 1, for example, illustrates an embodiment of a communication module that may be used in networks in order to perform various functions, including receive incoming data traffic, perform switching operations, and transmit outgoing data traffic. These communication functions are typical examples of the primary purpose of the communication module.

This primary communication function, however, is distinct from content stored in the first digital storage unit which is used to accomplish the primary function. In fact, the primary function of the communication module is not accomplished over the local wireless access, but over the network interface as recited in claim 1. This clarifies that the primary function performed over the network is independent of the local wireless that is provided to the first

digital storage unit. As a result, the primary function is therefore independent of the wireless communication that occurs over the bi-directional interface.

Claim 1 recites that the local wireless access enables the content of the first digital storage to be modified. Because the content in the first digital storage unit holds content pertaining to accomplishment of the primary function, modifying the content can change the primary function of the communication module, further illustrating that the primary function is independent of the local wireless access.

The Office Action suggests that the printer communicating with a portable device through a portable device communications port is considered to be equivalent to applicant's secondary function. Applicant respectfully disagrees. As recited in claim 1, the local wireless access is being provided independently of the primary function. This is not the case in *Anderson*.

More specifically, the function of the system taught by *Anderson* is to provide a system for walk-up printing. The printer in *Anderson* receives a non-rendered document via the portable device communications port and relays the non-rendered document to the host for rendering. *See* abstract; col. 1, lls. 49-61; Figure 1. A printer that receives a non-rendered document and then relays the non-rendered document to the host fails to teach or suggest several aspects of claim 1.

More specifically, the system disclosed in *Anderson* requires three distinct devices: a portable device, a printer, and a host coupled to the printer. *See* Figure 1. In contrast, claim 1 only recites a communication module that communicates over the local wireless access. The local access enables content of the first digital storage unit to be modified, but there is no recitation of sending the content to another host. In contrast, the printer taught by *Anderson* relays to non-rendered document to a host also coupled with the printer. This interaction of a portable device, a printer, and a host coupled by a printer fails to teach or suggest the elements of claim 1.

In addition, the primary purpose of the system taught by *Anderson* is to print a document to a printer. In *Anderson*, this cannot be achieved without receiving a document over the portable device communications port. As a result, the portable device communications port is not independent of the primary function of the system disclosed in *Anderson* because the primary purpose cannot be achieved without receiving the document in the first place.

Applicants note that these arguments were made in the previous Response, but have not been addressed by the new Office Action. While the Office Action has added specific references to *Anderson*, the Office Action has still not explicitly addressed **how the portable device communications port is independent of the primary function of the system disclosed in *Anderson* as the primary purpose cannot be achieved without receiving the document in the first place.** Applicants notes that M.P.E.P. 707.07(f) provides “[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and answer the substance of it.” Applicants therefore respectfully request that Office Action answer the substance of the remarks of the present response.

Further, claim 1 recites that the content of the first digital storage unit pertains to the accomplishment of the primary function and that the local wireless enables the content of the first digital storage unit to be modified to change the primary function of the communication module. Receiving a non-rendered document over a portable device communications port fails to teach or suggest that the content of the first digital storage unit can be modified to change the primary function of the printing system. The non-rendered document does not modify or change the primary function. Rather, *Anderson* only suggests receiving a non-rendered document over the portable device communications device for rendering. There is no teaching or suggestion that the primary function of the communication module is modified by a non-rendered document.

*Parry* was cited for showing a bi-directional infrared port and for showing that a wireless access enables the content of a digital storage device to be modified to change a primary function. However, *Parry* fails to remedy the deficiencies of *Anderson*. *Parry* is directed to a wireless communications device that may also function as a wireless remote control for controlling various functions of a printer. Applicants note, however, that all the *Parry* device does is change printer functions. It does not change the primary function because print job queuing, print job pause, print job continue, and the like are part of the primary function of printing. Regardless of what commands are received from the wireless device, the primary function is still printing from a host as acknowledged by the Office Action. Thus, there is no teaching or suggestion that a wireless access enables the content of a digital storage device to be modified to change a primary function.

*Yukie* fails to remedy the deficiencies of *Anderson and Parry*. As with *Anderson*, the wireless interface of *Yukie* is not independent of the primary function as recited in claim 1. Rather *Yukie* is directed to the wireless data storage on a server and data retrieval. This primary purpose is achieved by transmitting data through a wireless connection. As a result, the wireless connection is not independent of the primary function but is used in *Yukie* to accomplish the primary function. Further, the data transmitted over the wireless connection of *Yukie* fails to change the primary function of the communication module to accomplish the primary function as recited in claim 1.

Further, the data taught by *Yukie* is not used to accomplish the primary function but is the result of the primary function. For example, the data transferred over the wireless connection taught by *Yukie* is produced by a video camera, laptop computer, or other device which normally stores data in local memory. *See* abstract. This data is the result of the primary purpose, not used to accomplish the primary purpose. Claim 1, in contrast, recites content in the first digital storage unit that pertains to accomplishment of the primary function.

For at least these reasons, Applicant respectfully submits that claim 1 is patentable over the cited art. Claim 15 has at least some features generally similar to claim 1 and is patentable for at least the same reasons discussed herein. Because claims 1 and 15 are patentable as discussed herein, the dependent claims are patentable for at least the same reasons.

### **New Claim**

As shown above, Applicants have added new claim 27. Support for such claim is found at least at page 10, line 17 – page 11, line 21. Since claim 27 is dependent on claim 15, claim 27 is allowable for at least the reasons discussed above. In addition, the art of record does not teach or suggest that modifying content of the first digital storage using the data received over the bi-directional optical interface changes the first primary function to a second primary function.

**CONCLUSION**

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 31<sup>st</sup> day of October, 2008.

Respectfully submitted,

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